GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Department of Tribal Welfare – Tribal Welfare Engineering Department - Review of Panel of Executive Engineers for the year 2020-21 for notional promotion to the post of Superintending Engineer - Inclusion of the name of Smt. B. Vasantha (ST) in place of Sri K.V.S.N. Kumar – Orders – Issued.

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2. Further, in the Memo 3rd read above, the seniority list in the category of Superintending Engineers along with the date of notional promotion in

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the cadre Superintending Engineers was issued so as to comply the orders of the Hon'ble High Court of A.P. in W.P.No.27462 of 2021 filed by Smt.B.Vasantha, Executive Engineer.

3. In the meantime, the Hon'ble High Court of Andhra Pradesh has passed interim orders on 27.11.2024, in C.A.Nos.166 & 167 of 2024 in C.C.No.1684 of 2023 in W.P.No.27462 of 2021 filed by Smt B.Vasantha, Executive Engineer, TW as follows:-

" Learned Additional Advocate General appearing for the appellant would contend that the name of the respondent could not be included in seniority list for Superintendent Engineer as her ACR's were not available. He would submit that the ACR's were not available as the respondent had served, for the relevant period, in the State of Telangana and the ACR's were required to be obtained from Telangana.

Learned Additional Advocate General would also submit that the assessment report, for the respondent, for the period 2014-2021 has now been received, on 21.10.2024, after the DPC proceedings had been completed.

We are not willing to accept that the non inclusion of the respondent, was as simple as that. It was the responsibility of the authorities to ensure that all candidates are considered. Non availability of the assessment reports, that were to be signed by the authorities, cannot be put at the door of the respondent.

There is every need for a review DPC to be conducted for setting right this clear wrong.

Post on 23.12.2024.

Interim order granted earlier shall stand extended till 30.12.2024."

4. In the letter 6th read above, the Engineer-in-Chief (FAC), TW, Vijayawada has furnished the ACRs in respect of Smt.B.Vasantha from 02.06.2014 to 10.03.2021, which is received from the Government of Telangana on 21.10.2024, for taking necessary early action as per the judgement of Hon'ble High Court and requested the Government to conduct review DPC.

5. Accordingly, in the U.O.Note 8th read above, the review DPC proposal in the prescribed proforma has been sent to the General Administration (Ser.D) Department for conducting the review DPC in

respect of Smt. B.Vasantha, E.E. and requested them to place the said proposal before the Screening Committee and communicate its proceedings to this Department, for taking further necessary action in the matter.

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6. The review Departmental Promotion Committee (DPC) in its recommendations, has stated as follows:-

> *"Upon submission of SARs of Smt. B. Vasantha (ST). Executive Engineer, the Departmental Promotion Committee have gone through*
> *the SARs, relevant records and other material papers relating to the eligible Executive Engineers in the zone of consideration and with due respect to the orders of Hon'ble High Court of Andhra Pradesh in C.A. Nos.166 & 167 of 2024, the Departmental Promotion Committee recommends for inclusion of the name of Smt. B. Vasantha (ST), Executive Engineer for notional promotion to the category of Superintending Engineer for the panel year 2020-21 in place of Sri KVSN Kumar, subject to directions/outcome of O.As/W.Ps/W.As/R.Ps/C.As/S.L.PS etc., if any pending before Tribunal/ Courts etc".*

7. Government after careful examination, hereby accept the recommendations of the review Departmental Promotion Committee for considering the name of Smt. B. Vasantha (ST), Executive Engineer for notional promotion to the post of Superintending Engineer for the panel year 2020-21 in place of Sri K.V.S.N. Kumar, subject to outcome of O.As/W.Ps/ W.As/ R.Ps/C.As/S.L.Ps etc., if any pending before Hon'ble Courts etc.

8. Accordingly, under Rule 10(a) of the A.P. State & Subordinate Service Rules, 1996, Smt. B. Vasantha (ST), Executive Engineer is hereby promoted notionally as Superintending Engineer for the panel year 2020-21 and posted as Deputy Chief Engineer, TW, Vijayawada. Smt. B. Vasantha (ST) upon her notional promotion as Superintending Engineer, shall report to duty within 15 days from the date of receipt of this order. If she fails to join or evades to join by proceeding on leave, she shall forfeit all her rights/ offer for the panel year 2020-21 for the post of Superintending Engineer, in terms of Rule 11 (b) of the A.P.State and Sub-ordinate Service Rules, read with G.O.Ms.No.145 General Administration (Ser.D) Department, dated:15.06.2004.

9. The appointment order in para – 8 above is subject to the following conditions: -

(a) it is purely temporary and on an adhoc basis and shall not confer any right for regular appointment and is liable for

reversion as Executive Engineer at anytime without notice and without assigning any reason thereof; and

(b) the appointment is subject to outcome of W.Ps./ W.As./R.Ps. / C.As., etc., if any, pending before the High Court or any other Courts.

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10. The Engineer-in-Chief, Tribal Welfare, Vijayawada, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.M NAYAK
SECRETARY TO GOVERNMENT (FAC)

To
The Engineer-in-Chief, Tribal Welfare, Vijayawada.
The individuals concerned *through*
the Engineer-in-Chief, Tribal Welfare, Vijayawada.
Copy to:-
The Accountant General, Andhra Pradesh, Vijayawada.
The Pay & Accounts Officer, Andhra Pradesh, Mangalagiri.
The General Administration (Ser.D) Department, Velagapudi.
The O.S.D to Hon'ble Minister for Tribal Welfare.
The P.S. to Secretary to Government, Tribal Welfare Department.
SF/SCs (30438).

//FORWARDED :: BY ORDER//

SECTION OFFICER